REMARKS

Claims 1, 2, 4-6, 8 and 9 are pending and stand rejected. Claims 1, 2, 4-6 and 8-9 stand rejected under 35 USC 103(a) as being unpatentable over Wei, Gang in view of Liou (USP no. 6,580,437).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

Wei discloses a system to classify TV programs into predefined categories based on the analysis of their video contents. Wei discloses "[b]y applying face and text tracking to a number of training video segments, including commercials, news, sitcoms and soaps, we have identified patterns with each category of TV programs in a predefined feature space that reflects the face and text characteristics of the video." (see Abstract). Wei further discloses in paragraph 4, page 1345, which is referred to in the Office Action, "In most occasions video content features can be sufficiently extracted by capturing face movements. On the other hand, text is a helpful cue in recognizing certain types of TV programs."

Wei also discloses the method wherein "[d]etected text boxes in consecutive frames are compared to each other and merged as belonging to the same trajectory if they are similar enough" (see section 2.2) and "[t]o identify distinguishable characteristics of different categories of TV programs, we have contrasted a feature space based on face and text tracking results." (see section 3.1). Wei further discloses that "[t]o classify a given video segment, we map it into the same feature space and evaluate its probability of being each category by the weighted distance to the centers of the news, commercial, sitcom and soap clusters." (see section 3.2).

Hence, Wei discloses a system that maps video and text information over a period of time where the text characteristics are similar into a feature space and uses a weighted distance from this feature space mapping to mappings of each of known categories to determine the type of video segment.

However, Wei fails to disclose that the claim elements "each of the cues being associated with a type of program" and "a classifier for classifying the program based on the proximity of occurrence."

The Office Action refers to Wei, page 1345, para. 4) for teaching text being used as cue ("text is a helpful cue in recognizing the type of a TV program.")(see OA, page 3). However, even if it could be said that the use of text is comparable to the cue in the instant invention, the received text, being used as a cue, is independent of the type of program. Hence, Wei fails to teach the element "each of the cues being associated with a type of program. Rather Wei teaches using the text as a cue in combination with the video to determine the type of program.

Wei is also silent with regard to the claim element "a classifier for classifying the program based on the proximity of the occurrence." First, Wei classifies the program based on a mapping of the visual/text features, which is independent of the time of occurrence of two selected cues and second, Wei is silent with regard to the element "time of occurrence," as the Liou reference was specifically cited for teaching this element.

Liou is recited for teaching the claim element "if the proximity of occurrence is greater than a predetermined amount, the two selected cues are ignored in connection with determining the program classification; and wherein if the proximity of occurrence is not greater than the predetermined amount, the two selected cues are utilized in connection with determining the program classification."

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, if the teachings of Wei and Liou were combined, as suggested, the combined device would fail to render obvious the invention recited in claim 1, for example. More specifically, the combined device would retain similar frames up a predetermined amount of a first cue to determine a trajectory. Thus, the teachings of Wei, i.e., "detected text boxes in consecutive frames are compared with each other and merged as belonging to the same trajectory" would be amended in the combined device

to recite that the consecutive frames would be compared up to a predetermined time. However, the combined device would not provide any teaching to either have cues associated with a type of program or to perform a classification based on the proximity of occurrence.

Hence, with reference to claim 1, for example, neither Wei, nor Liou, individually or in combination, teach or suggest all the elements recited. Hence, even if there were some motivation to combine the teachings of the cited reference, which applicant believes does not exist in the references but may be a desirable feature as suggested, the combined device would fail to teach all the features recited in independent claim 1.

Accordingly, the invention recited in claim 1 is not rendered obvious by the teachings of the cited reference. For at least this reason, applicant submits that the rejection of the claims has been overcome and respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected citing the same references used in rejecting claim 1. Thus, applicant's remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of the remaining independent claims.

In view of the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of the remaining independent claims, applicant submits that the reason for the rejection of these claims has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable based on their dependency from an allowable base claim.

Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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